



Order Filed on January 15, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)
Denise Carlon, Esquire
KML Law Group, P.C.
216 Haddon Avenue, Suite 406
Westmont, NJ 08108
Main Phone: 609-250-0700
dcarlon@kmlawgroup.com
Attorneys for Secured Creditor
U.S. Bank National Association, as Trustee for Banc of
America Funding Corporation 2007-4

In Re:
Malgorzata Berchin, Scott Berchin ,

Debtors.

Case No.: 18-34522 JKS

Adv. No.:

Hearing Date: 12/12/19 @ 10:00 a.m.

Judge: John K. Sherwood

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

DATED: January 15, 2020

A handwritten signature in black ink, appearing to read "J K Sherwood", written over a horizontal line.

Honorable John K. Sherwood
United States Bankruptcy Court

(Page 2)

Debtors: Malgorzata Berchin, Scott Berchin

Case No: 18-34522 JKS

Caption of Order: ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, U.S. Bank National Association, as Trustee for Banc of America Funding Corporation 2007-4, Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property located at 125 Highland Trail, Township of Denville, NJ 07834-2011, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Scott J. Goldstein, Esq., attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of December 12, 2019 Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due October 2019 through November 2019 for a total post-petition default of \$3,200.99 (2 @ \$1,688.97, less \$176.95 in suspense); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$3,200.99 will be paid by Debtor remitting \$533.49 per month for five month and \$533.54 for one month in addition to the regular monthly mortgage payment, which additional payments shall begin on December 1, 2019 and continue for a period of six months until the post-petition arrears are cured; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume December 1, 2019, directly to Secured Creditor's servicer, Specialized Loan Servicing, LLC, P.O. Box 636007, Littleton, Colorado 80163 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid through Debtors' Chapter 13 plan and motion for relief is hereby resolved.

Certificate of Notice Page 3 of 3

United States Bankruptcy Court
District of New Jersey

In re:
Scott Berchin
Malgorzata Berchin
Debtors

Case No. 18-34522-JKS
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Jan 15, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 17, 2020.
db/jdb Scott Berchin, Malgorzata Berchin, 125 Highland Trl, Denville, NJ 07834-2011

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 17, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 15, 2020 at the address(es) listed below:

Brian C. Nicholas on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR BANC OF AMERICA FUNDING CORPORATION 2007-4 bnicholas@kmlawgroup.com, bkgroup@kmlawgroup.com
Denise E. Carlon on behalf of Creditor Banc of America Funding Corporation 2007-4, U.S. Bank National Association, as Trustee dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Denise E. Carlon on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR BANC OF AMERICA FUNDING CORPORATION 2007-4 dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Jason Brett Schwartz on behalf of Creditor Capital One Auto Finance jschwartz@mesterschwartz.com
Kevin Gordon McDonald on behalf of Creditor Banc of America Funding Corporation 2007-4, U.S. Bank National Association, as Trustee kmcdonald@kmlawgroup.com, bkgroup@kmlawgroup.com
Marie-Ann Greenberg magecf@magtrustee.com
Scott J. Goldstein on behalf of Debtor Scott Berchin sjg@sgoldsteinlaw.com, cmecf.sgoldsteinlaw@gmail.com;notices@uprightlaw.com;G31979@notify.cincompass.com
Scott J. Goldstein on behalf of Joint Debtor Malgorzata Berchin sjg@sgoldsteinlaw.com, cmecf.sgoldsteinlaw@gmail.com;notices@uprightlaw.com;G31979@notify.cincompass.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 9